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Attorneys for FACEBOOK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In Re Ex Parte Application of
SAM RAINSY, an individual residing in
France,
Applicant,
For an Order Pursuant to 28 U.S.C. § 1782
Granting Leave to Obtain Discovery from
FACEBOOK, INC.,
Respondent,
For Use in Connection with Foreign
Proceedings.

Case Number: 3:18-mc-80024-SK

DECLARATION OF SIN SOPUTHI

The Honorable Judge Sallie Kim

Application Filed: February 8, 2018

1 I, Sin Soputhi, declare as follows:

2 1. I am an attorney at law admitted to practice before Cambodian courts, and am an
3 attorney at the law firm of Sin & Partners, located at Villa No. 6R, Street 208, Sangkat Boeung
4 Raing, Khan Daun Penh, Phnom Penh, Cambodia. I regularly advise clients on litigation matters in
5 Cambodia. I have a Masters Degree in Private Law from the Royal University of Law and
6 Economics in Cambodia, a Bachelors Degree in Law from the Royal University of Law and
7 Economics in Cambodia, and a Bachelors Degree in Private Law from the University of Lumière
8 Lyon 2 in France. I speak both Khmer and English. I make this declaration upon personal
9 knowledge and could and would competently testify to the matters below if called to do so.

10 2. Attached hereto as Exhibit 1 is an English translation of Exhibit A of the March 7,
11 2018 Declaration of Sam Rainsy. I have reviewed the Khmer version of Exhibit A and certify that
12 Exhibit 1 is an accurate English translation.

13 3. Attached hereto as Exhibit 2 is an English translation of Exhibit B of the March 7,
14 2018 Declaration of Sam Rainsy. I have reviewed the Khmer version of Exhibit B and certify that
15 Exhibit 2 is an accurate English translation.

16 4. Attached hereto as Exhibit 3 is an English translation of Exhibit G of the March 7,
17 2018 Declaration of Sam Rainsy. I have reviewed the Khmer version of Exhibit G and certify that
18 Exhibit 3 is an accurate English translation.

19 5. Except Page 2 of Exhibit A, Exhibits A, B, and G all appear to relate to a criminal case
20 against Sam Rainsy arising out of a post he posted on his Facebook page asserting that the killing of
21 Mr. Kem Ley was orchestrated by the Cambodian Government. Exhibit G indicates that the case
22 resulted in a judgment against Sam Rainsy on March 3, 2017. It also indicates that the judgment was
23 upheld by the Cambodian Appeal Court on August 11, 2017.

24 6. Exhibit G appears to be a request for cassation to the Appeal Court in order to seek
25 Supreme Court review. In Cambodian criminal procedure, cassation is the term for an appeal seeking
26 the Supreme Court review of a decision of the Court of Appeal. Under Article 436 of the Cambodian
27 Criminal Procedure Code, a first cassation only addresses questions of law. Therefore, at this stage,
28

1 the Supreme Court will only address whether the Appeal Court applied the law correctly and whether
2 it provided sufficient reasoning in support of the judgment.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing
4 is true and correct and that this declaration was executed on March 22, 2018 at Phnom Penh,
5 Cambodia.
6

7
8 SIN SOPUTHI
9 SIN & PARTNERS

10 By

11 Sin Soputhi

12 **SIN SOPUTHI**
13 Attorney-At-Law

14 Attorney

15 Sin & Partners
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CERTIFICATE OF SERVICE

I, Gregory Bok, declare as follows:

I am employed in the County of Los Angeles, State of California, I am over the age of eighteen years and am not a party to this action; my business address is 333 South Grand Avenue, Los Angeles, CA 90071-3197, in said County and State. On March 22, 2018, I served the following document(s):

**FACEBOOK, INC.'S OPPOSITION TO SAM RAINSY'S APPLICATION FOR
LEAVE TO OBTAIN DISCOVERY UNDER 28 U.S.C. § 1782**


**DECLARATION OF SIN SOPUTHI IN SUPPORT OF FACEBOOK, INC.'S
OPPOSITION TO § 1782 APPLICATION AND SUPPORTING EXHIBITS**

on the parties stated below, by the following means of service:

Richard John Rogers
Global Diligence LLP
Kemp House
152 City Road
London EC1V 2NX
United Kingdom
richardrogers@globaldiligence.com

- ☒ **BY ELECTRONIC SERVICE:** On the above-mentioned date, I caused the documents to be sent to the persons at the electronic notification addresses as shown above.
- ☐ **BY OVERNIGHT DELIVERY:** On the above-mentioned date, I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses shown above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier with delivery fees paid or provided for.
- ☒ **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 22, 2018.



Gregory Bok